

Chairperson: Supervisor Willie Johnson, Jr.  
Clerk: Linda Durham, 278-4225  
Research Analyst: Rick Ceschin, 278-5003

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, January 18, 2007 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

### MINUTES

TAPE No. 1: Side A, #001 to EOT

TAPE No. 1: Side B, #001 to #98 (Experienced technical difficulties)

TAPE No. 2: Side A, #001 to EOT

TAPE No. 2: Side B, #001 to #48 (Experienced technical difficulties)

TAPE No. 3: Side A, #001 to 479

**PRESENT:** Supervisors Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair)

### SCHEDULED ITEMS:

1. 07-53 From County Executive, appointing Mr. David Bradley Carr to serve on the Milwaukee County Ethics Board for a term expiring February 28, 2013. Mr. Carr is replacing Ms. Hannah Dugan whose term will expire on February 28, 2007. (Tape #1A-#45)

### **APPEARANCES:**

Fran Rudig, County Executive's Office  
David Bradley Carr

Questions and comments ensued.

**MOTION BY: (DEVINE) Approve. (Vote 7-0)**

**AYES:** \*Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

**NOES:** 0

\*Supervisor Rice was not present at the time of the roll call, but appeared shortly thereafter and requested unanimous consent to be added as voting with the majority. There being no objection, it was so ordered.

## **SCHEDULED ITEMS (CONTINUED):**

2. 07-51 A resolution by Supervisor Cesarz, authorizing the Medical Examiner to work with the Department of Administrative Services – Division of Economic Development to begin a search for a new location for the Medical Examiner’s Office. (Tape #1A-#110)

**APPEARANCE:**

Medical Examiner Jeffrey Jentzen

Dr. Jentzen provided comments relative to the subject resolution.

Questions and comments ensued.

Supervisor Broderick requested to be added as a co-sponsor of this resolution. Supervisor Cesarz stated that Supervisor Borkowski would also like to be added as a co-sponsor of this resolution.

***MOTION BY: (CESARZ) Approve the resolution.***

Supervisor DeBruin offered a friendly amendment to delete the words “consideration and/or” from line 44 of the BE IT FURTHER RESOLVED clause and add the Finance and Audit Committee.

Supervisor Cesarz accepted the friendly amendment.

**Vote on the motion to approve the resolution: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

**NOES:** 0

3. 07-45 From Deputy Director, Child Support Enforcement, requesting authorization to execute W2 contracts with Maximus and United Migrant Opportunity Services, Inc. (UMOS) and YWCA for 2007. (Tape #1A-#280)

**APPEARANCES:**

Lisa Marks, Deputy Director, Child Support Enforcement

Barbara Berner, Financial Division Manager, Child Support Enforcement

Ms. Marks reviewed the subject report.

Questions and comments ensued.

***MOTION BY: (DE BRUIN) Approve.***

**SCHEDULED ITEMS (CONTINUED):**

Supervisor DeBruin requested follow-up information from Ms. Marks.

Questions and comments continued.

**Vote on the motion to approve: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

**NOES:** 0

4. 07-46 From Deputy Director, Child Support Enforcement, requesting authorization to execute Children First contracts with Maximus and United Migrant Opportunity Services, Inc. (UMOS) for 2007. (Tape #1A-#492)

**APPEARANCES:**

Lisa Marks, Deputy Director, Child Support Enforcement

Barbara Berner, Financial Division Manager, Child Support Enforcement

Ms. Marks reviewed the subject report.

Questions and comments ensued.

***MOTION BY: (DE BRUIN) Approve. (Vote 7-0)***

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

**NOES:** 0

5. 06-504 From Deputy Director, Child Support Enforcement, requesting authorization to execute Racine County Call Center contract for 2007. (Tape #1A-#561)

**APPEARANCES:**

Lisa Marks, Deputy Director, Child Support Enforcement

Barbara Berner, Financial Division Manager, Child Support Enforcement

Ms. Marks reviewed the subject report.

***MOTION BY: (RICE) Approve.***

Questions and comments ensued.

**SCHEDULED ITEMS (CONTINUED):**

**Vote on the motion to approve: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

**NOES:** 0

6. 07-69 From Deputy Director, Child Support Enforcement, requesting authorization to execute the 2007 State/County contract covering the administration of child and spousal support and establishment of paternity and medical support liability programs. (Tape #1A-#600)

**APPEARANCES:**

Lisa Marks, Deputy Director, Child Support Enforcement

Barbara Berner, Financial Division Manager, Child Support Enforcement

Ms. Marks reviewed the subject report.

***MOTION BY: (RICE) Approve. (Vote 7-0)***

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

**NOES:** 0

7. 07-55 From the Chief Judge, requesting authorization to execute a professional services contract with Justice 2000 for provision of services at the Criminal Justice Facility under the Treatment and Diversion (TAD) Program grant. (Tape#1A-#612)

**APPEARANCES:**

Chief Judge Kitty Brennan

Holly Szablewski, Circuit Courts Pretrial Services Programs

Chief Judge Kitty Brennan and Ms. Szablewski provided comments relative to the subject report.

***MOTION BY: (SCHMITT) Approve.***

Questions and comments ensued.

**Vote on the motion to approve: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

**NOES:** 0

## SCHEDULED ITEMS (CONTINUED):

8. 06-395 Adopted Budget Amendment 1A042, directing the Chief Judge and Sheriff, to  
(a) submit a report regarding a service level agreement for the provision of bailiff personnel and the methodology by which charges for such services shall be charged. **(Also to the Committee on Finance and Audit)** (Tape #1A-#742)

### **APPEARANCES:**

Chief Judge Kitty Brennan  
Inspector Kevin Carr, Sheriff's Office

Chief Judge Kitty Brennan provided comments relative to court changes. She said she would know by the end of January what, if any, changes will be made in the courts.

### ***MOTION BY: (DE BRUIN) Layover.***

There being no objection, it was so ordered.

9. 06-475 From the Sheriff, requesting authorization to enter into a contract with Diamond  
(a)(a) Drugs to allow the Inmate Medical Services Unit to provide necessary drug treatment to inmates. (Tape #2A-#492)

### **APPEARANCES:**

Inspector Kevin Carr, Sheriff's Office  
Inspector Richard Schmidt, Sheriff's Office  
Dr. Michael Grebner, Sheriff's Office  
Wendy Gerlach, Roeschins Omnicare

### ***MOTION BY: (DE BRUIN) Temporary layover until after item #12.***

There being no objection it was so ordered.

Inspector Schmidt reviewed the subject report.

Questions and comments ensued at length.

The Committee took a five-minute break and returned with the same members present as before.

Chairman Johnson advised that Committee members received information from Stuart Piltch, Managing Director of Cambridge Advisory Group, Inc. and Freida Webb, Director of Milwaukee County Community Business Development Partners.

Questions and comments continued.

## SCHEDULED ITEMS (CONTINUED):

Supervisor DeBruin offered an amendment and explained its intent.

***MOTION BY: (DE BRUIN) Approve the following amendment: MODIFY the BE IT RESOLVED clause beginning on line 27 of the resolution as follows: BE IT RESOLVED, the Sheriff's Office is authorized to enter into a contract with Diamond Drugs for a period of ~~three (3)~~ one (1) year, including two (2) ~~one~~ two (2) year renewal options per the terms and conditions summarized above and as contained in the draft contract, a copy of which has been attached to and made a part of this file; and ADD a BE IT RESOLVED clause beginning on line 32 of the resolution as follows: BE IT FURTHER RESOLVED, that the Sheriff and Diamond Drugs shall work with the Division of Community Business Development Partners to develop a meaningful disadvantaged business enterprise component for this contract and report the specific nature of that component to the Committee on Judiciary, Safety and General Services by the March 22 meeting of the Committee; and***

Questions and comments ensued relative to the lack of a DBE component for the Diamond Drugs contract.

Ms. Gerlach provided comments relative to Roeschins Omnicare Pharmacy.

### **Vote on the amendment offered by Supervisor DeBruin: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

**NOES:** 0

***MOTION BY: (SCHMITT) Approve, as amended. (Vote 6-1)***

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick and Devine – 6

**NOES:** Johnson (Chair) – 1

***This item was taken out of order.***

10. 07-56 From the Sheriff, requesting authorization to apply for and accept grants available under Homeland Security Grant Programs to assist counties with homeland security preparedness. (Tape #1B-#67)

### **APPEARANCES:**

Inspector Kevin Carr, Sheriff's Office

***MOTION BY: (RICE) Approve. (Vote 7-0)***

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

**NOES:** 0

## SCHEDULED ITEMS (CONTINUED):

11. 07-J-4 From the Sheriff, reporting on the 2005 Edward Byrne Memorial Justice Assistance Grant (JAG) – Reprogramming of City of West Allis Grant Funds.  
**(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #1B-#82)

**APPEARANCES:**

Molly Pahl, Public Safety Fiscal Analyst

Ms. Pahl reviewed the subject report.

***The Committee took no action on this informational report.***

12. 07-J-5 From the Sheriff, status report on the Electronic Medical Records (EMR) system.  
**(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #2A-#001)

**APPEARANCES:**

Inspector Kevin Carr, Sheriff's Office

Inspector Richard Schmidt, Sheriff's Office

Dr. Michael Grebner, Sheriff's Office

Bud Borja, Director, IMSD

Inspector Carr, Inspector Schmidt and Dr. Grebner provided comments relative to the subject report.

Inspector Carr stated that the entire matter of their contractual relationship with Sequest has been referred to Corporation Counsel for an opinion regarding the breach of contract that may have occurred.

Mr. Domina advised that the matter has been assigned to Attorney Tim Karaskiewicz in Corporation Counsel, who is reviewing the contract and the nature of the claim. Mr. Domina is expecting a report back soon. He will bring the report to this committee for informational purposes as a "closed session" item so the Committee can be briefed on the position of the County.

Questions and comments ensued at length.

Chairman Johnson advised that this item will be scheduled for the next Judiciary agenda. He requested a status report, including comments from Dr. Shanky.

***The Committee took no action on this information report.***

## **SCHEDULED ITEMS (CONTINUED):**

13. 07-54 From Superintendent, House of Correction, notification of \$82,700 in grant funds awarded to the House of Correction and requesting authorization to extend contracts with Attic Correctional Services, and Wisconsin Community Services, Inc. (Tape #3A-335)

### **APPEARANCES:**

Superintendent Ron Malone, House of Correction  
Molly Pahl, Public Safety Fiscal Analyst

### ***MOTION BY: (DE BRUIN) Approve.***

Superintendent Malone reviewed the subject report.

Questions and comments ensued.

### **Vote on the motion to approve: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

**NOES:** 0

**The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

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### **CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION**

*(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):*

14. 06-492 A resolution, referred back 12/14/06, approving the terms of the negotiated settlement as set forth in the said resolution and authorizing the Corporation Counsel to enter into a binding settlement agreement containing those terms with the approval of the Court and that all claims arising out of said litigation be resolved and the Champine sick allowance lawsuit dismissed. (Tape #3A-#409)

### **APPEARANCE:**

Bill Domina, Corporation Counsel

**SCHEDULED ITEMS (CONTINUED):**

***MOTION BY: (RICE) adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to items 14, 15, 17, 18 and 19. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary. (Vote 7-0)***

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson - 7

**NOES:** 0

The Committee adjourned into closed session at approximately 11:40 a.m. and reconvened in open session at approximately 12:45 p.m. with the same members present as before.

***The Committee took the following action on item #14.***

***MOTION BY: (SCHMITT) Amend the resolution by deleting the last sentence in #5 (lines 77-79); the last sentence in #6 (lines 83-84); delete #8 (lines 92-94) and the second last sentence in #9 (lines 105-107).***

Questions and comments ensued.

**Vote on the amendment offered by Supervisor Schmitt: 7-0**

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

**NOES:** 0

***MOTION BY: (SCHMITT) Approve the resolution, as amended. (Vote 6-1)***

**AYES:** Rice, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 6

**NOES:** DeBruin - 1

***The Committee took no action on items 17, 18 and 19.***

15.     07-58     From Principal Assistant Corporation Counsel, requesting approval for payment of \$93,750 in full settlement to the Plaintiff Class Attorney fees in the Christensen Lawsuit. (Tape #3A-#461)

**SCHEDULED ITEMS (CONTINUED):**

***MOTION BY: (RICE) Approve the settlement of the Plaintiff Class claims in the Christensen lawsuit terms outlined in the memorandum from Corporation Counsel dated January 4, 2007, subject to Corporation Counsel preparing an appropriate resolution relative to this action. (Vote 7-0)***

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

16. 07-18 From Principal Assistant Corporation Counsel, requesting approval for payment of \$5,000 in full settlement to Donna Kowske. (Tape #3A-#471)

***MOTION BY: (BRODERICK) Approve. (Vote 7-0)***

**AYES:** Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7  
**NOES:** 0

17. 07-J-1 From Corporation Counsel, status report on the Susan Baldwin and Thomas Forbes lawsuit against Milwaukee County.

**SEE ACTION UNDER ITEM 14.**

18. 07-J-2 From Corporation Counsel, status report for contracts issued through the Office of Corporation Counsel under MCGO 56.30 (10).

**SEE ACTION UNDER ITEM 14.**

19. 07-J-3 From Corporation Counsel, status report on claims for damages filed by Wisconsin Energy Corporation and WE Energies arising out of a water main break on March 9, 2006 on the County Grounds.

**SEE ACTION UNDER ITEM 14.**

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board  
Bill Domina, Corporation Counsel  
Chief Judge Kitty Brennan  
Holly Szeblewski, Circuit Courts Pretrial Services Programs  
Inspector Kevin Carr, Sheriff's Department  
Inspector Richard Schmidt, Sheriff's Department  
Dr. Michael Grebner, Medical Director, Health Services  
Bud Borja, Director, IMSD  
Molly Pahl, Public Safety Fiscal Analyst  
Lisa Marks, Deputy Director, Child Support Enforcement  
Barbara Berner, Fin. Div. Manager, Child Support Enforcement

**SCHEDULED ITEMS (CONTINUED):**

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 12:50 p.m.

*Linda K. Durham*

**Linda K. Durham, Committee Clerk**